

RECEIVED
91133
AUG 19 2024
BOONE COUNTY
PLANNING COMMISSION

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required 029

Site Plan Review is not granted by the appropriate Board of Adjustment

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union
2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant: Jacob Crase
Address: 2085 Verona Mudlick Rd.
Verona KY 41092
City State Zip Code
Phone Number: (859) 750-6482 Fax Number: _____
Email: jacob.crase@gmail.com
4. Description of Request:
Variance
5. Name of Development: N/A
6. Location of Development: 2085 Verona Mudlick Rd.
Verona KY 41092
City State Zip Code
7. Acreage Under Review: 1.96
8. Lot Number and Name of Subdivision (if part of a subdivision):
N/A
9. Current Owner: Jacob Crase
Address: 2225 Verona Mudlick Rd.
Verona KY 41092
City State Zip Code
Phone Number: (859) 750-6482 Fax Number: _____
Email: jacob.crase@gmail.com

10. Proposed Use(s) on Site: Residence
11. Total Square Footage of Existing and/or Proposed Buildings: 1,731
12. Current Zoning: SR-1 / SC
13. 1195 321 2087B
Deed Book Page Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Property Owner's Signature:

Jacob Crase

Applicant's Signature:

Jacob Crase

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 8/19/2024 Fee Received: \$666.00 Receipt #: 91133

2. Is application complete: _____

3. Staff Reviewer: Lauren Elliott

4. Scheduled Board Action Date: 9/11/24

5. Board Action: 9/11/24

- Approved
- Approved with Conditions (see #6)
- Denial (See #7)

6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org

STAFF REPORT

#3

APPLICANT: Jacob Crase

LOCATION: 2085 Verona-Mudlick Road, Boone County, Kentucky

ZONING: Suburban Residential One/Small Community (SR-1/SC)

DATE: September 11, 2024

PROPOSAL

- A. The applicant is requesting a Variance increasing the maximum front yard setback from nineteen (19) feet to one hundred seventy (170) feet.

SITE HISTORY

- Pre 1960 Based on information contained in the Boone County GIS, the house and garage were built on the site in question.
- 2024 Existing house and garage were demolished.

APPLICABLE REGULATIONS

- A. Section 202.C of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- B. Section 4000 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
- C. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 204.D and 204.E of the Boone County Zoning Regulations.
1. Findings listed in Section 204.D and 204.E:
 - a. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would

create an unnecessary hardship on the applicant;

- (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
 - b. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
- D. Section 903.A of the Boone County Zoning Regulations states that the purpose of the Suburban Residential One district is to provide a low density, residential environment whose dwelling types and densities are typical of a suburban character. It is also to provide limited or passive and active recreational uses that are appropriate to the permitted uses in the district. Suburban Residential One districts will be located on lands within established urban areas where adequate infrastructure facilities and services are available or proposed.
- E. Section 2000.A of the Boone County Zoning Regulations states that the intent of the Small Community Overlay District is to provide for the maintenance and development of small community centers where an integrated variety of land uses are essential to the vitality, viability, and well-being of the community. These circumstances are most prevalent in the many small, traditional community centers and town sites of Boone County, and may be appropriate to meet the needs of new community development in the County as well.
- F. Section 2005.B.1.a of the Boone County Zoning Regulations states that the minimum required front yard shall be the shortest front yard setback of those lots within two hundred (200) feet of the site, on the same, respective street frontage. The maximum required front yard shall be the average of the front yard setbacks of those lots within two hundred (200) feet of the site, on the same, respective street frontage.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site in question as "Suburban Density Residential", which is described as low-density residential uses of up to one dwelling unit per acre.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
 1. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 1).
 2. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

3. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 4. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).
 5. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 6. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).
 7. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).
- C. Verona-Mudlick Road is identified as a State maintained rural major collector street providing for two-way traffic within two driving lanes. There are no sidewalks along the roadway.

SURROUNDING LAND USES AND ZONING

North: Single family residential (SR-1/SC)
South: Single family residential/agricultural (A-2)
East: Single family residential (SR-1/SC)
West: Single family residential/agricultural (A-2 and SR-1/SC)

SITE CHARACTERISTICS

- A. The approximate 1.96-acre property is located on the south side of Verona-Mudlick Road.
- B. The site has approximately two hundred thirty (230) feet of frontage along River Road.
- C. The site is currently vacant, formerly occupied by a detached single-family residential dwelling and a garage.
- D. Access to the site is from a single curb cut onto Verona-Mudlick Road.
- E. A utility pole for individual electricity access is located on the site, approximately 75 feet from the property line.
- F. Topographically, the site slopes upward, east to west, at an average grade of four (4) percent.

STAFF COMMENTS

- A. The existing buildings that are within two hundred (200) feet of the site, on the same respective street frontage, have front yard setbacks of thirty (30) feet, seven (7) feet, ten (10) feet, thirty-five (35) feet and fourteen (14) feet, averaging to nineteen (19) feet. Based on Section 2005.B.1.a of the Boone County Zoning Regulations any house that is to be built on the site in question would have to have its minimum front yard setback at seven (7) feet and maximum front yard setback set at nineteen (19) feet.
- B. The previously existing house had a front yard setback of eighty (80) feet.
- C. The applicant would like to build a house on the property with a one hundred seventy (170) foot front yard setback.

CONCLUSION

- A. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.
- B. Sections 204.D and 204.E of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully submitted,



Lauren M. Elliott
Planner

LME/ss

Attachments

- *Vicinity Map
- *Aerial Map
- *Topographic and Floodplain Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Development Plan

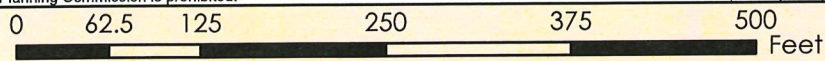
Boone County GIS Map

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 125 feet



Boone



Boone County GIS Map

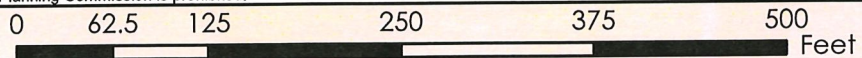
www.boonecountygis.com



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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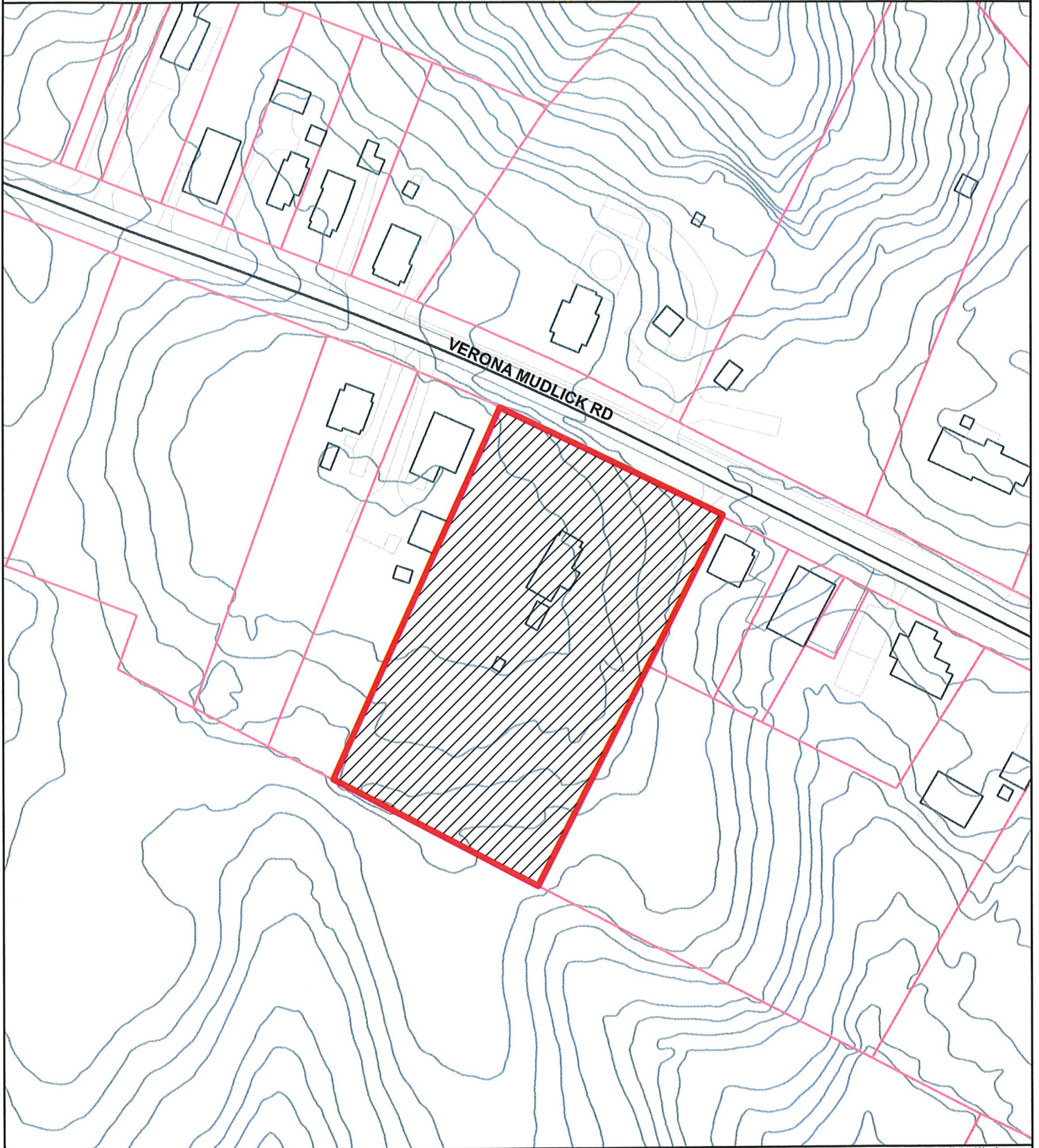


Boone County GIS - Putting Northern Kentucky on the Map



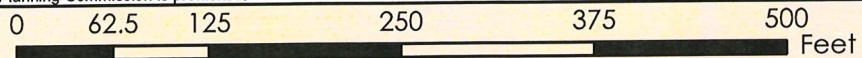
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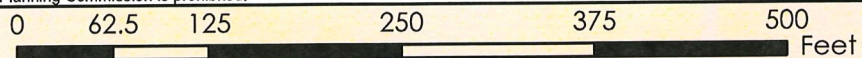
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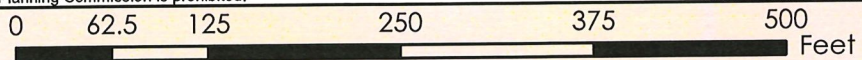
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Jacob Crase

Applicant's Signature:

Jacob Crase

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3. Staff Reviewer: _____

4. Scheduled Board Action Date: _____

5. Board Action: _____

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_____ Approved with Conditions (see #6)

_____ Denial (See #7)

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Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
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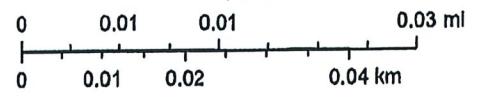
Structures shown have been demolished
Boone County, Kentucky



8/7/2024, 12:48:44 PM

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|---------------------|-------------------|--------------------|
| Building Footprints | Two Foot Contours | Sidewalk |
| Buildings | Parking Lots | Street Centerlines |
| Tax Parcels | Asphalt | Minor Hwy |
| Lot Lines | Exterior Features | Roadways |
| Ten Foot Contours | Patio | Roadway |
| | Driveway | |



GIS Services Division, Boone County Planning Commission

Structures shown have been demolished

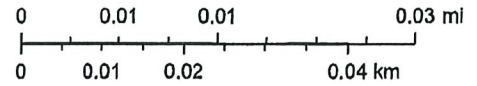
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| Ten Foot Contours | Patio | Roadway |
| | Driveway | |



GIS Services Division, Boone County Planning Commission

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Jacob Crase
2225 Verona Mudlick Rd
Verona, KY 41092

2. ADDRESS OF PROPERTY

2085 Verona Mudlick Rd
Verona, KY 41092

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Crase Variance

4. DEED BOOK 1195

PAGE NO. 321

GROUP NO. 2087B

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From _____ To _____

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

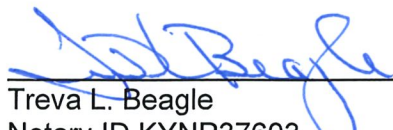
Lauren Elliott, Planner

Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE


Subscribed, sworn to, and acknowledged before me by Lauren Elliott on behalf of the Boone
County Planning Commission this 12th day of September, 2024.



Treva L. Beagle
Notary ID KYNP37603
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2025

This instrument was prepared for recording purposes only by:



Nicole Dierna
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)